



May 7, 2015 Meeting Minutes

Council Chambers, Town Hall

Submitted by Bruce Crawford

Members present: Steve Lawrence, Mark Drummond, Ray Grenier, Kelly Philbrook, Peter Whitman, Bruce Crawford.

Absent: Ann Grinnell

Staff: Derek Jacobs, Harbor Master.

Meeting began at 6:00 pm.

1. Pledge of Allegiance

2. Minutes of May 7, 2015 Mr. Lawrence made the motion to accept the minutes as amended, and Mr. Grenier seconded. Vote was unanimous.

3. Public segment - None

4. Harbor Master's report: Derek Jacobs

Mooring Update—notices have been sent out to unpaid mooring holders, and Derek will add a late fee to cover the cost of certified mailings and other expenses.

Waitlist update: 43 of the non-renewals were removed for not paying fee on time.

Riparian moorings:

Warren's Lobster (for Chrissy D) Derek reviewed the request and site and it appears to be acceptable. The mooring would be primarily for boats that are waiting to unload at the lobster dock (Chrissy D's); and while it is not anticipated that the mooring would have any long-term or overnight boats on it, Riparian moorings are for personal use only per state law.

26 Island Ave. is requesting a fore and aft mooring which is consistent with other moorings in this section of the river. The land owner/applicant has no docking facilities per Derek's recollection.

Budget: Derek cautioned that the budget is “stretched a little thin” at this stage and that any discretionary purchases (such as paint) should be postponed until next month which is the first month of the new budget year. But he believes he can keep things in check until then. He provided the most recently revised budget figures.

Projects-

Derek has some volunteer labor available to him and would like to put them to work on staining or painting the Pepperell Pier. The previous paint job has not held up well, and Derek needs to explore options on the best, longest lasting product for this application whether it be a stain or more durable paint product. The previous paints were “retail” house paints that do not last in this environment. The timing of the work was also discussed and needs to be timed so that the weather is favorable while not impeding dock access during the busiest times of the summer. There’s a narrow window of opportunity.

Dumpster location. There’s some discussion about the best place to locate the dumpster at Pepperell Pier. It cannot or should not be located over the septic tanks, and its needs to be easily accessible. Mr. Drummond suggested a location where it sat previously. Derek will review this location and make the decision.

Lighting—Derek is waiting to hear back on the CIP program before going further on the lighting project.

3. Public Comment: Reopened due to late arrival

Mrs. Chislett asked to appeal a decision to remove her and her husband from the mooring wait list. They missed the deadline to remain on the list by a couple of weeks and were hoping to appeal the decision and get back on the list after they pay all back charges and applicable fees. They were asked to submit their appeal in writing to Derek and the Board for consideration.

5. Piers Wharfs and Floats: A continuation of the Public Hearing for Patricia Carleton, 15 Hartley Farm Lane to construct an access platform, stairs, float and haul out. The Board members reviewed the site last month (minus Ann and Peter) and were satisfied that the application was acceptable. There was some discussion on the haul out because this was something new that has not come before the Board in the past. Bill LeBlanc, the applicant’s agent stated during the site walk that haul outs are now required in all new float applications before the Army Corp and DEP so that no floats are impacting the resources more than necessary.

A motion to approve the application was made by Mr. Lawrence Lawrence, with a second by Mr. Grenier. All voted to approve with Mr. Whitman abstaining because he has only become a member and not been involved in the previous reviews.

6. Mooring Issues -

Ms. Philbrook introduced to the board an issue that she was asked to address involving moorings with two names on them. The person had inquired if a second name could be added to a mooring

after it had been issued. Ms. Philbrook expressed that doing so could be seen as “double-ownership”; and moorings being improperly conveyed. In the case that was brought to her attention a sail boat had been sold and the new owners name was added to the mooring. She expressed concern that selling a boat to another party does not and should not include the mooring. She described how State law dictates that moorings can only be conveyed in very limited circumstances, and that selling a boat on a mooring to another party does not constitute a legal conveyance. Ms. Philbrook requested that all cases of double name moorings be investigated and addressed by the harbormaster. All members agreed.

Portsmouth Yacht Club. This has been discussed at length in previous meetings. The Army Corp flip-flopped on this issue and provided a letter to the PYC stating their most recent “opinion” that they believe the PYC moorings are in fact grandfathered. At last month’s meeting, responding to discussions about removing the moorings, the Commodore of the PYC (Dan Gingras) stated that they will rigorously defend their rights to keep the moorings in their present locations which goes back to the 1960’s. He reiterated that defense and shared a letter from their attorney to the KPA which opines that the 50 year old mooring are in their opinion “grandfathered”. Mr. Gingras again restated the Club’s stance to the Board, and even offered to work with the KPA to share facilities, including their moorings. Ms. Philbrook expressed her opinion that she did not want to remove these moorings. Mr. Lawrence expressed an anonymous concilor’s desire to remove these moorings, but did not say who or whether he (Mr. Lawrence) is in favor of doing so. Mr. Drummond suggested that these mooring may affect the “business plan” of the Authority. Mr. Crawford questions the prudence of spending any money on lawyers for this cause that has dubious impacts and even more dubious benefits. Especially when the Town has let these Amoorings remain for over 50 years without objections. Copies of the letter will be provided to members for thier review and this item will be futher discussed at the next regular meeting.

Isle of Shoals—Ms. Philbrook asked for dates and times to review the mooring field at the Isle of Shoals. It was decided that Saturday, June 27 would be the day, rain or shine. A departure time of 8 am from the Pepperell Pier was set.

7. Discussion of Online Mooring.com

Derek has been investigating this program for the Authority and suggested that they (the website operators) be invited to make a presentation to the Board (in person it is assumed). Peter spent some time describing to the audience what he thought was involved with this site and that it might free Derek from some tasks. Bruce asked what the cost is for the service and Derek responded that the cost would be around \$6 plus services fees per mooring. Mr. Lawrence cautioned that cost could be an issue given the backlash/complaints from the new \$1/ft water use fee, as this \$6 fee would be paid by the mooring holders.

It was decided that there may be some obvious merits to the site but that more information was required in the way of cost, services, etc. Derek will ask them to make a presentation to the Board at a future meeting.

8. Action List - Board Memebers New and Old Business

Ms. Philbrook had one item stating that with a great deal of assistance from the Town Manager, HR Betsy Oulton and Harbormaster Jacobs she has procured/renewed insurance for the upcoming year.

9. Adjourn

Motion to adjourn was made by Mr. Lawrence, seconded by Mr. Grenier. Meeting adjourned at 7:35 pm.